

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-CR-80001-Rosenberg/Reinhart

UNITED STATES OF AMERICA,

Plaintiff,

v.

ESTON EUREL MELTON, III,

Defendant.

MOTION FOR VARIANCE FROM THE SENTENCING GUIDELINES

Defendant, Eston Eurel Melton, III, through undersigned counsel, hereby moves for a variance from the Sentencing Guidelines, pursuant to Rule 18 U.S.C. § 3553(a).

1. The grounds for the Defendant's request for a variance have to do both with the nature of the offense conduct and the Defendant's history and characteristics.

2. Under the Court's standing Scheduling Order (DE 12), Defendant's Motion for Variance from the Sentencing Guidelines is due on or before May 19, 2025. Accordingly, Defendant is filing this Motion in compliance with the Court's Scheduling Order.

3. The details in support of this Motion will be set forth in full in the Sentencing Memorandum. The nature of the offense conduct is complicated and explains, in detail, the reasons behind Mr. Melton's willful failure to pay taxes as set forth in the charging Information. Mr. Melton's history and characteristics strongly support the requested variance.

4. Mr. Melton will also be submitting character letters and a sentencing mitigation video in further support of this Motion for Variance.

WHEREFORE, after full evaluation of the Sentencing Memorandum, sentencing video, character witnesses at the sentencing hearing, and character letters, the Court will be requested to vary from the Sentencing Guidelines to a sentence that is fair and just.

Dated this 15th day of May, 2025.

Respectfully submitted,

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s/Michael J. Rosen
Michael J. Rosen, Esq.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was electronically filed with the Clerk of Court via CM/ECF which will electronically serve AUSA Marc Osborne, United States Attorney's Office, 500 South Australian Avenue, Suite 400, West Palm Beach, Florida, 33401, marc.osborne@usdoj.gov, and Andrew McDougan, Sentencing Guideline Specialist, Wilkie D. Ferguson, Jr. US Courthouse, 400 N. Miami Ave. 9th floor, Miami, FL 33128. Andrew_McDougan@flsp.uscourts.gov, this 15th day of May, 2025.

s/Michael J. Rosen
Michael J. Rosen